

CERTIFICATE OF SERVICE
BZA Application No. 20693

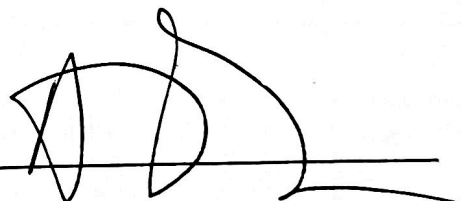
Pursuant to the requirements of Subtitle Y § 407.3, I certify that a copy of the **Form 140 - Party Status Request** and all accompanying documents have been served upon:

- ✓ (a) The applicant/ applicant's representative or counsel (if applicable)
- ✓ (b) The ANC TB@ANC . dc . gov
- ✓ (c) The ANC SMD TB@ANC . DC . gov

5/3/2022
Service was made on [DATE] by [mail/email/hand-delivery] to the following:

1. NAME/AGENCY BZA
ADDRESS or E-MAIL ADDRESS BZA Submissions@DC.GOV
2. NAME/AGENCY Philadelphia Baltimore Railroad Company
ADDRESS or E-MAIL ADDRESS tim.cook@cityswitch.com
bijan@alexo@smartlinkgroup.com

Signature: _____





BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA



FORM 140 - PARTY STATUS REQUEST

Before completing this form, please go to www.dcoz.dc.gov > IZIS > Participating in an Existing Case > Party Status Request for instructions.
Print or type all information unless otherwise indicated. All information must be completely filled out.

PLEASE NOTE: YOU ARE NOT REQUIRED TO COMPLETE THIS FORM IF YOU SIMPLY WISH TO TESTIFY AT THE HEARING. COMPLETE THIS FORM ONLY IF YOU WISH TO BE A PARTY IN THIS CASE.

Pursuant to 11 DCMR Subtitle Y § 404.1 or Subtitle Z § 404.1, a request is hereby made, the details of which are as follows:

Name: Aristotle Theresa

Address: 1604 V St SE

Phone No(s): 202 651 1148

E Mail: Actheresa@stooptlaw.com

I hereby request to appear and participate as a party in Case No.:

20693

Signature:

Date:

5/3/2022

Will you appear as a(n)

☐

Proponent

☒

Opponent

Will you appear through legal counsel?

☐

Yes

☒

No

If yes, please enter the name and address of such legal counsel.

Name:

Address:

Phone No(s):

E Mail:

ADVANCED PARTY STATUS CONSIDERATION PURSUANT TO: Subtitle Y § 404.3/Subtitle Z § 404.3:

I hereby request advance Party Status consideration at the public meetings scheduled for:

PARTY WITNESS INFORMATION:

On a separate piece of paper, please provide the following witness information:

1. A list of witnesses who will testify on the party's behalf; *Monica Deo, Aristotle Theresa*
2. A summary of the testimony of each witness; *Notice, Unique impacts, site observations*
3. An indication of which witnesses will be offered as expert witnesses, the areas of expertise in which any experts will be offered, and the resumes or qualifications of the proposed experts; and *NONE*
4. The total amount of time being requested to present your case. *No more than 30 min*

PARTY STATUS CRITERIA:

Please answer all of the following questions referencing why the above entity should be granted party status:

1. How will the property owned or occupied by such person, or in which the person has an interest be affected by the action requested of the Commission/Board? *Will not be*
2. What legal interest does the person have in the property? (i.e. owner, tenant, trustee, or mortgagee) *We None*
3. What is the distance between the person's property and the property that is the subject of the application before the Commission/Board? (Preferably no farther than 200 ft.) *2.5 miles*
4. What are the environmental, economic, or social impacts that are likely to affect the person and/or the person's property if the action requested of the Commission/Board is approved or denied? *See pre-hearing filing*
5. Describe any other relevant matters that demonstrate how the person will likely be affected or aggrieved if the action requested of the Commission/Board is approved or denied. *See pre-hearing filing*
6. Explain how the person's interest will be more significantly, distinctively, or uniquely affected in character or kind by the proposed zoning action than that of other persons in the general public. *See pre-hearing filing*



BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT FOR THE DISTRICT OF COLUMBIA



FORM 153 – REQUEST TO ACCEPT AN UNTIMELY FILING OR TO REOPEN THE RECORD

THIS FORM IS FOR NON-PARTIES ONLY. IF YOU ARE A PARTY, PLEASE FILE A FORM 150 – MOTION.

Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated. All information must be completely filled out.

CASE NO.:

20693

I, Aristotle Theresa hereby request the following relief:

☒ Accept an untimely filing of

Party Status

☐ To reopen the record to accept

Points and Authorities:

Accept an untimely filing: Please state each and every reason you believe the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your request to accept an untimely filing, including relevant references to the Zoning Regulations or Map. If you require more space, please use a separate piece of paper.

Reopen the Record: Please state each and every reason you believe the ZC or BZA should grant your request to reopen the record, including relevant references to the Zoning Regulations or Map. The document(s) that you are requesting the record to be reopened for must be submitted separately from this form (see instructions). No substantive information is to be included on this form.

I, and another witness, am willing to testify Notice was not posted at the site until April 28, 2022. It was the first time we saw the sign. Additionally it was nowhere near any walking path but over by the woods. Even with that being the case, I am certain had the sign been up 30 days, or even 14 days prior to the hearing we would have seen it. We were by the area 10 or 15 days prior to the hearing date and never saw it.

I/We certify that the above information is true and correct to the best of my/our knowledge, information and belief. Any person(s) using a fictitious name or address and/or knowingly making any false statement on this application/petition is in violation of D.C. Law and subject to a fine of not more than \$1,000 or 180 days imprisonment or both. (D.C. Official Code § 22-2405)

Date:

5/3/2022

Signature:

Name:

Aristotle Theresa

Address:

1604 V St SE

Phone No(s):

202 651 1148

E-Mail:

ACTheresa@StoopLaw.com

ANY APPLICATION THAT IS NOT COMPLETED IN ACCORDANCE WITH THE INSTRUCTIONS ON THE BACK OF THIS FORM WILL NOT BE ACCEPTED.